## REMARKS

This paper is filed in response to the Office Action mailed April 11, 2008. Claims 1-14 were pending in the application. Claim 9 has been amended. Therefore, claims 1-14 are still pending in the application and are submitted for reconsideration.

Request for Telephone Interview

Should issue of a final rejection be considered, the Examiner is respectfully requested to contact the undersigned by email to owend@howrey.com in order to schedule a telephone interview.

Amendment to Claim 9

Claim 9 has been amended to correct a spelling error and insert punctuation.

Rejection of Claims 1, 3-5 and 8-14

Claims 1, 3-5 and 8-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,745,151 issued to Marko et al.

Claims 2 and 6-7 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Marko in combination with and U.S. Patent No. 6,681,160 issued to Bidaud.

Applicants respectfully traverse the rejections for the reasons provided below.

Claim 1 requires a method for monitoring the state of a vehicle chassis which uses "a model of the vehicle which continuously identifies parameters of the vehicle and uses such parameters to continuously compile modeled variables in a simulatory prognosis of the vehicle behavior." As explained in paragraph [0005] of the present application, the previous solutions only took into account the violation of certain pre-defined limits when making the assessment of the measured variables.

Marko et al. operates in this way. The system described in Marko includes data collection on-board a vehicle and communication of the data to an off-vehicle centralized computation center. The collected data is compared with a database of known potential irregularities for the vehicle, compiled by the manufacturer based on known performance parameters of the vehicle and its components:

> "Server 15 initiates an attempt to classify the data in the received message according to known potential irregularities for the subject vehicle. The classification is first attempted by comparing with an existing diagnostic database 16 which the manufacturer has compiled based on known performance parameters of the vehicle and its operational components (e.g., powertrain or other control modules, actuators, sensors, etc.)."

(Marko, col. 4, lines 41-53). If the attempt to classify the measured data is successful because there is a matching pattern in the database, then a response is made:

> "If an attempt to classify incoming data is successful (i.e., the fault or irregularity is old and been recognized before), then the classification is provided to a response block 17 for identifying appropriate actions, if any, which have been previously identified for remedying the fault or irregularity."

(Marko, col. 4, line 66 – col. 5, line 3). If the attempt to classify the measured data is unsuccessful because there is no matching pattern in the existing database, then analysis by an expert team using test equipment, test vehicles, and software tools is performed to possibly generate a newly classified fault or warning condition:

> "If the attempt to classify incoming data is unsuccessful because there is no matching pattern in existing database 16, then the data is recognized as a new case and it is forwarded to an analysis process 18 which may include an expert team working with various test equipment, test vehicles, and software (e.g., simulation) tools. Once the analysis process resolves the data pattern into a newly classified fault or early warning condition, the classification data including any reference patterns or other recognition instructions are uploaded to diagnostic database 16."

(Marko, col. 5, lines 4-12). Thus, Marko describes a system utilizing a static database that includes a set of pre-defined parameters. Only when the measured data does not fit the database is an analysis done to update the static database for future use. This is quite different from the system of claim 1.

Claim 1 utilises a model of the vehicle which continuously identifies parameters of the vehicle and uses such parameters to continuously compile modeled variables in a simulatory prognosis of the vehicle behavior. Thus, claim 1 requires a dynamic model which is continuously updated to generate a prognosis from a simulation based on the modeled

variables. This avoids the drawbacks of a static database as described in the present application.

Claim 9 is an apparatus claim with similar requirements as claim 1. Claim 9 is directed to a device for monitoring the state of a vehicle chassis, with "a processing unit for calculating modelled variables, by continuously identifying vehicle parameters and continuously compiling a simulatory prognosis of the chassis behaviour using a model of the chassis."

Claims 2-8 depend from claim 1, and claims 10-14 depend from claim 9, and are thus patentable on that basis.

In view of the above, Applicants respectfully request withdrawal of the rejections and allowance of claims 1-14.

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Extension of Time

Any extension of time that may be deemed necessary to further the prosecution of this application is hereby requested.

Authorization to Charge Fees

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 08-3038, referencing the docket number shown above.

Authorization to Communicate via email

Pursuant to MPEP 502.03, authorization is hereby given to the USPTO to communicate with Applicant's representative concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file. Applicant's representative, David P. Owen, can be reached at email address owend@howrey.com.

The Examiner may also contact the undersigned by telephone at the number given below in order to resolve any questions (note, this telephone number is an Amsterdam phone number, Amsterdam time is 6 hours ahead of US east coast time).

Respectfully submitted,

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